



Tualatin Hills Park & Recreation District Minutes of a Regular Meeting of the Board of Directors

A Regular Meeting of the Tualatin Hills Park & Recreation District Board of Directors was held at the HMT Recreation Complex, Peg Ogilbee Dryland Training Center, 15707 SW Walker Road, Beaverton, on Monday, April 6, 2009. Executive Session 6:00 p.m.; Regular Meeting 7:00 p.m.

Present:

Larry Pelatt	President/Director
Bob Scott	Secretary/Director
William Kanable	Secretary Pro-Tempore/Director
Joseph Blowers	Director
John Griffiths	Director
Doug Menke	General Manager

Agenda Item #1 – Executive Session (A) Legal (B) Land

President, Larry Pelatt, called Executive Session to order for the following purposes:

- To consider information or records that are exempt by law from public inspection,
- To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed, and
- To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

The Executive Session is held pursuant to ORS 192.660(2), which allows the Board to meet in Executive Session to discuss the aforementioned legal and land issues.

President, Larry Pelatt, noted that representatives of the news media and designated staff may attend the Executive Session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to disclose information discussed during the Executive Session. No final action or final decision may be made in Executive Session. At the end of the Executive Session, the Board will return to open session and welcome the audience back into the room.

Agenda Item #2 – Call Regular Meeting to Order

President, Larry Pelatt, called the Regular Meeting to order at 7:10 p.m.

Agenda Item #3 – Action Resulting from Executive Session

Joe Blowers moved the Board of Directors direct staff to pursue the donation of property in the northwest quadrant of the Park District. Bob Scott seconded the motion. Roll call proceeded as follows:

Bill Kanable	Yes
John Griffiths	Yes
Bob Scott	Yes
Joe Blowers	Yes
Larry Pelatt	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #4 – Audience Time

Wayne Faligowski, 12855 SW 20th Court, Beaverton, is before the Board of Directors this evening regarding a piece of property owned by the Church of the Nazarene located at SW 22nd and Hall Boulevard. Wayne described the approximately three-acre parcel as a wetland and natural area and expressed concern that the area may be lost to development in the future. He described the natural resource aspects of the property, noting that it serves as habitat for many different varieties of birds and other wildlife. He also noted that the property protects nearby homes by serving as a buffer against wind and provides environmental benefits in an area with little remaining greenspace. He requested that the Park District consider purchasing the property using 2008 Bond Measure funds in order to protect the land as a natural area. A packet of information regarding the property was submitted into the record and Wayne offered to answer any questions the Board may have.

Joe Blowers asked Wayne whether he had spoken with the church regarding any plans for the property.

- ✓ Wayne noted that Barbara Wilson has spoken with the church and that she will be testifying before the Board in a few moments.

John Griffiths asked whether there has been a development application filed for the land.

- ✓ Wayne replied that trees have been tagged and surveyed.
- ✓ Hal Bergsma, Director of Planning, stated that he has spoken with City of Beaverton staff who confirmed that they had a pre-application conference with the church last year to discuss the possibility of subdividing the property. Hal recalled that the church was proposing eleven lots for the property, which would be a similar density as the surrounding neighborhood. However, to his knowledge, the church has not yet filed a formal development application.

Gary Gross, 12760 SW 18th Street, Beaverton, is before the Board of Directors this evening regarding the same property referenced earlier by Wayne Faligowski. Gary described in detail the different bird species that have been spotted in the property and encouraged the Park District to purchase the property in order to protect the land as a natural area.

Joe asked whether the wooded area and retention ponds are separated by a parking lot.

- ✓ Gary replied that they are only separated by a bike path and that the ponds are very close to the wooded area.

President, Larry Pelatt, commented that the retention ponds would still remain with any development activity.

- ✓ Gary replied that they would remain; however, the natural habitat value of the ponds would decrease significantly with removal of the nearby wooded area.

John asked Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, whether he was familiar with the property and if so, how he would characterize the value of the natural habitat.

- ✓ Bruce replied that he is familiar with the property; however, he would need to complete a more thorough assessment in order to determine value. His initial opinion is that it is an island serving as a refuge for migratory species that can stop there, but he is not clear about any connectivity to other natural areas that would increase its value.

Bill Kanable commented that he has passed the property many times and was not aware of the amount of canopy that exists on the property.

Barbara Wilson, 12820 SW 20th Court, Beaverton, is before the Board of Directors regarding the same property referenced earlier by Wayne Faligowski and Gary Gross. Barbara noted that she has attempted to contact the church on a number of occasions regarding the property, but that the minister has been reluctant to speak with her. She stated that the minister had said that he needed to talk with the church board in order to make a decision regarding the property, which has not yet happened. She noted that the economy is not ideal for selling houses and she guesses that the church may wait to make such a decision until the economy improves. She noted that the minister would not commit to eleven houses, which led her to believe that perhaps they first wanted to know what the baseline is and what exactly the City will allow, which would also need to take into consideration the retention ponds. She noted that she does not have much information to offer since her discussions with the minister have been limited and asked the Board what the neighborhood should do next in moving this request forward.

John described a recent successful effort by a different neighborhood that wanted a piece of property preserved as a natural area. He noted that the neighborhood had organized and petitioned the owner of the property for this cause. He commented that the church is private property and that he recommends the neighborhood convene a delegation to meet with the church board to ask them directly what their plans are and to express their concerns about the property. The Park District would be happy to speak with the church, but cannot force a sale, which needs to happen between a willing seller and a willing buyer. Another avenue the neighborhood has is to express any concerns regarding development of the land through the appropriate public venues via the City of Beaverton's development process.

Bill expressed agreement with John's comments, noting that these steps might encourage the church to discuss the property with other parties about doing something other than building houses. He noted that as a public agency, the Park District cannot force a sale from an unwilling seller and that he does not want to be faced with a situation where the church petitions that the Park District is infringing upon its rights of ownership without good cause. The first step is to express enough neighborhood involvement to the church to help drive them toward the possibility of a sale to another party that would protect the land. Bill stated that the Park District would be more than happy to help, but that the pressure must come from the public and start with the church.

John commented that churches are not typically in the housing development business, so if they are thinking of this it is most likely in order to liquidate property for cash purposes, unless they have a stake in the value of the development, which considering the economy he would think that they are just looking to cash out. He continued that cash can come from a variety of entities, such as foundations, public entities, private individuals, and that the church would have no reason to be selective. He stated that it sounds like a nice piece of property and that it would be great to keep it as a natural area.

Larry reiterated to the group that he believes what the Board is saying is that although the Park District is supportive of the idea, it cannot force the issue. It must come from the neighborhood.

Barbara requested that she be allowed to speak before the Board of Directors regarding a different topic. She referenced a recent newspaper article regarding beavers in Center Street Park, noting that after she first read the article she thought that the beavers had died accidentally. After calling the Park District, she found out that this wasn't the case. She has had several conversations with Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, and he told her that there were no other options. She stated that another family of beavers will eventually show up in the same area and she asks that the Park District be prepared as to how to deal with the issue and to find another option. She is aware that surrounding property owners were concerned about flooding, but she does not want her tax dollars to be spent in such a horrific manner, which has been very painful for her. She suggested that the Park District bring in a backhoe and take out the dam until the water lowers and moves through the culvert.

President, Larry Pelatt, commented that it was unfortunate that the beavers died and that the Park District is doing a great amount of research on what other options there might be. The Park District had tried other methods of dealing with the problem, but water continued to rise, potentially flooding nearby properties, and a decision had to be made. The Park District is researching other options to do its best that this does not happen again.

Agenda Item #5 – Board Time

President, Larry Pelatt, noted that the Board of Directors would soon receive a memo regarding the potential development of an ADA-accessible field at Cedar Hills Park being proposed by the Tualatin Hills Park Foundation as a fundraising project. He noted that the Park Foundation has requested that such a field be included within the master planning process for the park via the Bond Measure Program. The field would be the first one of its kind in the state and would be a really good fundraising activity for the Park Foundation.

- ✓ Doug Menke, General Manager, stated that he would email the Board additional information regarding the field, including the formal request to the Park District from the Park Foundation, as well as photos and background information.

Agenda Item #6 –Consent Agenda

Bill Kanable moved the Board of Directors approve Consent Agenda items (A) Minutes of March 2, 2009 Regular Meeting, (B) Monthly Bills, (C) Monthly Financial Statement, (D) Cedar Hills Recreation Center Advisory Committee Member, (E) Proclamation of National Aquatic Month, (F) Fanno Creek Trail Intergovernmental Agreement, and (G) Asphalt Pathway Paving Contract. Joe Blowers seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Bob Scott	Yes
Joe Blowers	Yes
Bill Kanable	Yes
Larry Pelatt	Yes

The motion was UNANIMOUSLY APPROVED.

Agenda Item #7 – Unfinished Business

A. 2008 Bond Measure

Doug Menke, General Manager, introduced Hal Bergsma, Director of Planning, and Cathy Brucker, Finance Manager, to provide an overview of the memo included within the Board of Directors information packet.

Hal Bergsma, Director of Planning, provided a detailed update of the memo section regarding the progress made in staffing the Park District's Planning & Development Department in order to work on the bond measure projects and offered to answer any questions the Board may have.

- ✓ Hearing none, Doug introduced Cathy to provide an update regarding the bond sale.

Cathy Brucker, Finance Manager, provided a detailed update of the memo section regarding the bond sale, noting that the process was very successful with the low bid coming in at 4.23%, which was finalized at 4.21%. Cathy noted that the winning bidder based their offer strictly on the Park District's updated credit rating. The financing was structured to ensure the desired level levy rate for the taxpayers, which will compute at \$0.32 per \$1,000 assessed value, well below the \$0.37 as advertised in the Park District's election materials. Cathy noted that the Park District will be closing the transaction on April 16, 2009 and offered to answer any questions the Board may have.

- ✓ *The Board of Directors congratulated staff on the successful bond sale.*

Doug stated that phenomenal work was done through the credit rating process thanks to Keith Hobson, Director of Business & Facilities, and Cathy, and that the public will benefit.

Joe Blowers asked whether a press release has been issued regarding the bond sale.

- ✓ Bob Wayt, Director of Communications & Development, confirmed that information is posted on the Park District's website and a press release was sent to the media.

Doug noted that during the Board of Directors' discussion at the March 2, 2009 Regular Board meeting regarding the request for a transfer of authority for Architectural and Engineering (A&E) contracts for bond projects, the Board requested a forecast of A&E contracts that staff is anticipating awarding for the Board's review. This information was provided to the Board of Directors on March 19, 2009. Doug requested Board of Directors consensus that any project with an A&E contract over \$500,000 would be brought to the Board for approval. He noted that, per the forecast provided to the Board, this would include four projects: Cedar Hills Park, Westside Trail, Waterhouse Trail, and the Conestoga Recreation & Aquatic Center expansion.

President, Larry Pelatt, stated that in the interest of keeping the bond measure projects moving forward, as well as due to his confidence level in staff, he is supportive of the Board reviewing only the largest A&E contracts.

Bill Kanable requested that Schiffler Park be reviewed as well because the forecasted A&E contract amount is close to \$500,000.

It was the consensus of the Board to review and approve of the A&E contracts for the following five projects: Cedar Hills Park, Schiffler Park, Westside Trail, Waterhouse Trail and the Conestoga Recreation & Aquatic Center expansion.

Doug stated that in response to a Request for Proposals (RFP) issued to provide assistance in acquiring property under the bond program, staff has received five proposals. Staff is evaluating the proposals against criteria in the RFP and is requesting formation of a Board member subcommittee to aid the process in determining which proposer(s) to select.

- ✓ *Larry Pelatt and John Griffiths volunteered to serve on the subcommittee.*

B. Signage Master Plan

Steve Gulgren, Superintendent of Planning & Development, provided a brief overview of the memo contained within the Board of Directors information packet, noting that the goal for the Signage Master Plan project is to establish exterior signage design standards by creating a standards manual, which will improve sign system maintenance and management. Steve noted that an initial presentation regarding the Signage Master Plan was provided at the November 3, 2008 Regular Board meeting, at which the Board of Directors approved the proposed sign design concepts with minor comments and directed staff to move forward with the next phases of the project. Staff is now returning to the Board to request approval of the Final Draft of the Signage Master Plan as provided within the Board of Directors information packet.

President, Larry Pelatt, noted that Metro has discussed a regional signage plan that would connect and build an identity for trail systems throughout the metro area.

- ✓ Steve stated that this issue is referenced toward the back of the Signage Master Plan, noting that the concept is still being discussed by Metro and that once it is enacted, it will be incorporated within the Park District's Signage Master Plan.

Larry asked whether staff has heard when to expect a decision from Metro.

- ✓ Steve replied that to his knowledge Metro is still in the process of selecting a consultant.
- ✓ Doug Menke, General Manager, noted that Connecting Green is to make a statement in June on this topic, but it will not be the final conclusion. Through development of the Park District's signage implementation plan, there will be funds dedicated in next year's budget to start the process and the Park District will need to be patient on the significant trail signage in anticipation of Metro's decision, and focus instead on missing and directional signage for trails.

Steve introduced Jason West, Principal with Designwest, the project consultant, to provide a brief overview of the Final Draft of the Signage Master Plan via a PowerPoint presentation, of which a copy was entered into the record. Jason offered to answer any questions the Board of Directors may have.

Bob Scott asked whether the Park District's existing park signs would be painted green in order to coordinate with the new signage until all of the signage can be replaced.

- ✓ Doug replied that the intent is that the Park District would continue its existing sign replacement schedule, but when an existing sign is scheduled for repainting, it would be replaced with the new signage instead. This could be a five to seven year process in the park sites; however, any new sites, as well as bond project sites, would have new signage sooner, particularly for trails already lacking signage. When signage is replaced at park sites, the entire site will receive new signage in order to remain consistent.

John Griffiths referenced parking signage in the plan that does not have the Park District's logo.

- ✓ Jason replied that on traffic control devices, it is beneficial to limit the information for clarity and that the person would have just passed a sign with the logo.

John asked how the signage would be addressed for Cooper Mountain Nature Park.

- ✓ Bruce Barbarasch, Superintendent of Natural Resources & Trails Management, replied that Metro is going to follow its own sign standards for the site, but that the Park District's logo would be included on the main entrance sign.

Bill Kanable asked whether an ordinance number is required to be incorporated into the rules and regulations signage.

- ✓ Doug Menke, General Manager, noted that this question would be posed to Park District legal counsel.

Joe Blowers moved the Board of Directors approve the Signage Master Plan and direct staff and the consultant to revise the Final Draft document format to create the approved Final Signage Master Plan document. Bob Scott seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Bill Kanable	Yes
Bob Scott	Yes
Joe Blowers	Yes
Larry Pelatt	Yes

The motion was UNANIMOUSLY APPROVED.

C. District Compiled Policies

Doug Menke, General Manager, introduced Tom Sponsler with Beery, Elsner & Hammond, LLP, the Park District's legal counsel, to provide an overview of the memo and attachments included within the Board of Directors information packet regarding chapters one through six of a reorganization of the Park District's Board of Directors policies.

Tom provided a detailed overview of his memo included within the Board of Directors information packet, noting that the action requested of the Board of Directors this evening is approval of Resolution 2009-06 approving District Compiled Policies Chapters One through Six as revisions of previously adopted Board policies. Tom noted that the next step in this process will be the first reading of the ordinance pertaining to General Regulations, which will occur at the May Regular meeting. Tom offered to answer any questions the Board may have.

- ✓ Hearing none, President, Larry Pelatt, stated that he would entertain a motion.

Bill Kanable moved the Board of Directors approve Resolution 2009-06 approving District Compiled Policies Chapters One through Six as revisions of previously adopted Board policies. Bob Scott seconded the motion. Roll call proceeded as follows:

John Griffiths	Yes
Joe Blowers	Yes
Bob Scott	Yes
Bill Kanable	Yes
Larry Pelatt	Yes

The motion was UNANIMOUSLY APPROVED.

D. General Manager's Report

Doug Menke, General Manager, provided a detailed overview of the General Manager's Report included within the Board of Directors information packet, which included the following topics:

- Metropolitan Transportation Improvement Program Grant
- Urbanization Update
- Credit Rating
- Board of Directors Meeting Schedule
 - *It was the consensus of the Board of Directors to schedule the June Regular Board meeting for June 8, 2009.*
 - *Proposed summer meeting dates will be forwarded to the Board for review.*

Doug offered to answer any questions the Board of Directors may have regarding the General Manager's Report.

Bill Kanable asked where the Budget Committee Work Session will be held on April 20, 2009.

- ✓ Doug replied that the meeting will be held at the Elsie Stuhr Center.

Agenda Item #8 - Adjourn

There being no further business, the meeting was adjourned at 8:15 p.m.

Larry Pelatt, President

Bob Scott, Secretary

Recording Secretary,
Jessica Collins